

520 Rec'd PCT/PTO 08 OCT 1999

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yasuo FUKAGAWA et al.

Serial No. 09/284,578

Filed April 15, 1999



Docket No. 325/E6627

BIOLOGICALLY ACTIVE POLYMER
PRODUCTS

PATENT OFFICE FEE TRANSMITTAL FORM

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

Attached hereto is a check in the amount of \$1,490.00 to cover Patent Office fees relating to filing the following attached papers:

Petition for Extension of Time \$1,360.00

Other: Petition For Acceptance \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

10/12/1999 PVDLPE 00000058 09284578

Respectfully submitted,

01 FC:118
02 FC:122

1360.00 0P
130.00 0P

Yasuo FUKAGAWA et al.

By

Michael R. Davis

Registration No. 25,134

Attorney for Applicants

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

35213
[Check No. _____]
99_0420A

MRD/sls
WENDEROTH, LIND & PONACK, L.L.P.
2033 K St., N.W., Suite 800
Washington, D.C. 20006
Telephone (202) 721-8200
October 8, 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yasuo FUKAGAWA et al.

Serial No. 09/284,578 : Attn: **BOX MISSING PARTS**

Filed April 15, 1999 : Docket No. 325/E6627

**BIOLOGICALLY ACTIVE POLYMER
PRODUCTS**

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Responsive to the Notification of Missing Requirements dated May 11, 1999, the time for responding thereto being extended for four months in accordance with a Petition for Extension submitted herewith, Applicants submit the following papers herewith:

1. A copy of the Notification of Missing Requirements;
2. A Declaration and Power of Attorney executed by one of the Inventors (Akiko Miya), and including an added page to indicate that the second Inventor (Yasuo Fukagawa) refused to sign the Declaration;
3. A Petition for Acceptance of the application under 37 CFR 1.47(a) (together with a petition fee of \$130);
4. A Declaration of Facts in support of filing on behalf of omitted Inventor, having attached thereto Exhibits 1-5 representing correspondence between the omitted Inventor (Mr. Fukagawa) and Hiromi Takayasu, who is a manager of the Patent Department of Ebara Corporation, the intended Assignee of the present application;

5. Verified English translations of Exhibits 1-5.
6. Last known address of the omitted Inventor.

Respectfully submitted,

Yasuo FUKAGAWA et al.

By:


Michael R. Davis

Registration No. 25,134
Attorney for Applicants

MRD/sls

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October 8, 1999

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ACCOUNT NO. 23-0975.

09/284578



UNITED STATES PATENT AND TRADEMARK OFFICE
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.

09/284,578

FUKAGAWA

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

Y 325/E6627

INTERNATIONAL APPLICATION NO.

5611

PCT/JP97/03710

WENDEROTH LIND & PONACK
2033 K STREET NW
SUITE 800
WASHINGTON DC 20006

I.A. FILING DATE

PRIORITY DATE

10/15/97 10/15/96

DATE MAILED: 05/11/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494).
- an Elected Office (37 CFR 1.495).

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed Apr 15, 1999 and _____

Information Disclosure Statement(s) filed _____ and _____

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed _____.

Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report and copies of the references cited therein.

Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. SurchARGE for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875

FORM PCT/DO/EO/905 (December 1997)

John Anderson
Telephone: (703) 308-9116